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Modified PTO/SB/21 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

1723  
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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/400,034
		Filing Date	September 21, 1999
		First Named Inventor	Ralph K. Ito
		Group Art Unit	1723
		Examiner Name	Matthew O. Savage
Total Number of Pages in This Submission		Attorney Docket Number	Olympus-13

### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Postcard Receipt <input type="checkbox"/> Other Enclosure(s) (please identify below): _____
Remarks		

**GROUP 1700**

APR 2 2003

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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	John C. Pokotylo (Reg. No. 36,242)
Signature	
Date	December 11, 2002

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

Typed or printed name	John C. Pokotylo
Signature	
Date	December 11, 2002

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Modified PTO/SB/17 (11-00)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE  
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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT** (\$0.00)

## Complete if Known

Application Number	09/400,034
Filing Date	September 21, 1999
First Named Inventor	Ralph K. Ito
Examiner Name	Matthew O. Savage
Group Art Unit	1723
Attorney Docket No.	Olympus-13

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to:

Deposit  
Account  
Number

50-1049

Deposit  
Account  
Name

Straub & Pokotylo

Charge any deficiency or credit any  
overpayment

Applicant claims small entity status.  
See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money  
Order  Other

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) _____					

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$0.00)**

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	John C. Pokotylo	Registration No. (Attorney/Agent)	36,242	Telephone	(732) 335-1222
Signature	<i>John C. Pokotylo</i>			Date	December 11, 2002

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John C. Pokotylo  
John C. Pokotylo

Reg. No. 36,242

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TC 1700 MAIL ROOM

**GROUP 1700**

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IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

*Duplicate*  
#16

Attorney Docket No.: Olympus-13

Applicant: Ralph K. ITO

Serial No.: 09/400,034

Filing Date: September 21, 1999

Title: METHODS AND APPARATUS FOR PREPARING A FLUID SAMPLE  
ALIQUOT

Examiner: Matthew O. Savage

Group Art Unit: 1723

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

S I R:

AMENDMENT

In response to the Office Action mailed on October 9, 2002, (Paper No. 13), which set a period for response to expire on January 9, 2003, please amend the application as follows:

**GROUP 1700**

IN THE CLAIMS:

APR 2 2 2003

Please add the following new claims:

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- 1 -- 53. (NEW) The apparatus of claim 1 wherein the
- 2 pipette tip is tapered.

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